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IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF CALIFORNIA

E. & J. GALLO WINERY, a California) Corporation,

Plaintiff,

v.

ANDINA LICORES S.A., a corporation organized under the laws of Ecuador,

Defendant

CV F 05-0101 AWI LJO

ORDER MOVING HEARING FOR CONSIDERATION OF DEFENDANT'S MOTION FOR SUMMARY JUDGMENT TO APRIL 3, 2006

In this action for declaratory relief, abuse of process, unfair competition, and breach of contract, the parties have moved for summary judgment or summary adjudication or to dismiss. The motion for summary judgment or summary adjudication by Plaintiff E. & J. Gallo Winery has been set for hearing on April 3, 2006, at 1:30 p.m. The corresponding motion to dismiss by defendant Andina Licores S.A. ("Defendant") was set for hearing on March 27, 2006. The court finds the interests of judicial efficiency will be served if oral argument on both motions are heard on the same day.

THEREFORE, it is hereby ordered that the hearing date of March 27, 2006, is VACATED and no party shall appear at that time. The hearing on Defendant's motion to dismiss that was previously set for March 27, 2006, is hereby RESCHEDULED for Monday, April 3, 2006, at 1:30 p.m. in courtroom 2.

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